

**SIXTY-FOURTH DAY - APRIL 12, 2017**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED FIFTH LEGISLATURE  
FIRST SESSION**

**SIXTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, April 12, 2017

**PRAYER**

The prayer was offered by Senator Bolz.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Briese and Watermeier who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the sixty-third day was approved.

**GENERAL FILE**

**LEGISLATIVE BILL 91A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 263A.** Title read. Considered.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 26:

Blood	Crawford	Hilgers	Lindstrom	Smith
Bolz	Ebke	Hilkemann	Lowe	Williams
Bostelman	Friesen	Howard	McDonnell	
Brasch	Geist	Hughes	Pansing Brooks	
Clements	Groene	Kolowski	Quick	
Craighead	Hansen	Kolterman	Scheer	

Voting in the negative, 6:

Baker            Krist            Schumacher  
Chambers        McCollister    Walz

Present and not voting, 15:

Albrecht        Halloran        Larson            Murante        Vargas  
Brewer          Harr            Linehan          Riepe          Wayne  
Erdman          Kuehn          Morfeld          Stinner        Wishart

Excused and not voting, 2:

Briese            Watermeier

Advanced to Enrollment and Review Initial with 26 ayes, 6 nays, 15 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 158.** Title read. Considered.

Committee AM145, found on page 426, was offered.

Senator Pansing Brooks offered the following amendment to the committee amendment:

AM996

(Amendments to Standing Committee amendments, AM145)

- 1 1. Insert the following new sections:
- 2 Section 1. The Juvenile Indigent Defense Fund is created. The fund
- 3 shall be administered by the Commission on Public Advocacy and shall only
- 4 be used to provide legal services to juveniles in juvenile court and
- 5 provide resources to assist counties in fulfilling their obligation to
- 6 provide for effective assistance of legal counsel for indigent juveniles.
- 7 The commission shall distribute money in the fund periodically in the
- 8 form of grants to counties under the Juvenile Indigent Defense Grant
- 9 Program as provided by the commission's rules and regulations. Any money
- 10 in the fund available for investment shall be invested by the state
- 11 investment officer pursuant to the Nebraska Capital Expansion Act and the
- 12 Nebraska State Funds Investment Act.
- 13 Sec. 2. (1) There is created a separate and distinct budgetary
- 14 program within the Commission on Public Advocacy to be known as the
- 15 Juvenile Indigent Defense Grant Program. Funds from the Juvenile Indigent
- 16 Defense Fund shall be used to provide grants to counties to help offset
- 17 the cost of providing legal counsel for indigent juveniles.
- 18 (2)(a) A county may apply for a grant under the program beginning
- 19 September 15, 2018.
- 20 (b) To be eligible for a grant under the program, a county shall
- 21 demonstrate to the commission that, after the effective date of this act,
- 22 the county's per capita juvenile court costs have increased, as compared
- 23 to such county's per capita juvenile court costs for the preceding three
- 24 fiscal years. The county shall provide the commission with data showing

25 that such increase in costs was due to the implementation of this  
26 legislative bill and pinpointing the factors contributing to such  
1 increase.

2 (c) Funds provided to counties under the program shall be used  
3 exclusively to provide legal counsel for indigent juveniles.

4 (3) Any county receiving a grant under the program shall annually  
5 submit information electronically to the commission as required by the  
6 commission's rules and regulations. Such information shall include, but  
7 not be limited to, the number of juveniles that received legal  
8 representation as a result of this legislative bill and the reason or  
9 reasons for not otherwise providing legal representation.

10 (4) On or before October 1, 2019, and each October 1 thereafter, the  
11 commission shall electronically submit a report to the Legislature  
12 concerning the distribution and use of funds for grants provided under  
13 the program. The report shall include, but not be limited to, the  
14 information described in subsection (3) of this section.

15 (5) The commission shall adopt and promulgate rules and regulations  
16 as necessary to implement section 1 of this act and this section.  
17 Sec. 3. Section 24-227.01, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 24-227.01 The Supreme Court Automation Cash Fund is created. The  
20 State Court Administrator shall administer the fund. The fund shall only  
21 be used to support automation expenses of the Supreme Court, Court of  
22 Appeals, district courts, separate juvenile courts, county courts, and  
23 Nebraska Probation System from the computer automation budget program.  
24 On July 1, 2014, or as soon thereafter as administratively possible,  
25 the State Treasurer shall transfer six hundred thousand dollars from the  
26 Supreme Court Automation Cash Fund to the Nebraska Retirement Fund for  
27 Judges as an offset to the increase in the state's contribution to the  
28 Nebraska Judges Retirement System.

29 On or after the effective date of this act, or as soon thereafter as  
30 administratively possible, the State Treasurer shall transfer four  
31 hundred thousand dollars from the Supreme Court Automation Cash Fund to  
1 the Juvenile Indigent Defense Fund to be used as provided in section 1 of  
2 this act.

3 Any money in the Supreme Court Automation Cash Fund available for  
4 investment shall be invested by the state investment officer pursuant to  
5 the Nebraska Capital Expansion Act and the Nebraska State Funds  
6 Investment Act.

7 Sec. 4. This act becomes operative on September 15, 2017.

8 2. Renumber the remaining sections and amend the repealer  
9 accordingly.

10 3. Renumber the remaining amendments accordingly.

Senator Hansen moved the previous question. The question is, "Shall the debate now close?"

Senator Hansen moved for a call of the house. The motion prevailed with 22 ayes, 1 nay, and 26 not voting.

Senator Hansen requested a roll call vote, in reverse order, on the motion to cease debate.

Voting in the affirmative, 25:

Baker	Crawford	Hilkemann	McDonnell	Vargas
Blood	Ebke	Howard	Morfeld	Walz
Bolz	Hansen	Kolowski	Pansing Brooks	Wayne
Brewer	Harr	Krist	Quick	Williams
Chambers	Hilgers	McCollister	Smith	Wishart

Voting in the negative, 9:

Albrecht	Brasch	Erdman	Groene	Lowe
Bostelman	Clements	Friesen	Hughes	

Present and not voting, 10:

Halloran	Kuehn	Lindstrom	Murante	Schumacher
Kolterman	Larson	Linehan	Riepe	Watermeier

Excused and not voting, 5:

Briese	Craighead	Geist	Scheer	Stinner
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The motion to cease debate prevailed with 25 ayes, 9 nays, 10 present and not voting, and 5 excused and not voting.

The Pansing Brooks amendment, AM996, lost with 23 ayes, 12 nays, 9 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Krist offered the following motion:

MO79

Reconsider the vote taken on AM996.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator Albrecht filed the following amendment to LB172:

AM964

1 1. Strike original sections 27 and 42 and insert the following new  
2 sections:

3 Sec. 27. Section 48-626, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 48-626 (1) For any benefit year beginning before October 1, 2018,

6 any ~~any~~ otherwise eligible individual shall be entitled during any

7 benefit year to a total amount of benefits equal to whichever is the  
8 lesser of (a) ~~(1)~~ twenty-six times his or her benefit amount or (b) ~~(2)~~  
9 one-third of his or her wages in the employment of each employer per  
10 calendar quarter of his or her base period; except that when any  
11 individual has been separated from his or her employment with a base  
12 period employer under the circumstances under which he or she was or  
13 could have been determined disqualified under section 40 or 42 of this  
14 act subdivision (1) or (2) of section 48-628, the total benefit amount  
15 based on the employment from which he or she was so separated shall be  
16 reduced by an amount equal to the number of weeks for which he or she is  
17 or would have been disqualified had he or she filed a claim immediately  
18 after the separation, multiplied by his or her weekly benefit amount, but  
19 not more than one reduction may be made for each separation. In no event  
20 shall the benefit amount based on employment for any employer be reduced  
21 to less than one benefit week when the individual was or could have been  
22 determined disqualified under ~~subdivision (1) of section 42 of this act~~  
23 ~~48-628~~.

24 (2) For any benefit year beginning on or after October 1, 2018, any  
25 otherwise eligible individual shall be entitled during any benefit year  
26 to a total amount of benefits equal to whichever is the lesser of (a)  
27 twenty-six times his or her weekly benefit amount or (b) one-third of his  
1 or her wages in the employment of each employer per calendar quarter of  
2 his or her base period; except that when any individual has been  
3 separated from his or her employment with a base period employer under  
4 circumstances under which he or she was or could have been determined  
5 disqualified under section 40 or 42 of this act, the total benefit amount  
6 based on the employment from which he or she was so separated shall be  
7 reduced by an amount determined pursuant to subsection (3) of this  
8 section, but not more than one reduction may be made for each separation.  
9 In no event shall the benefit amount based on employment for any employer  
10 be reduced to less than one benefit week when the individual was or could  
11 have been determined disqualified under section 42 of this act.

12 (3) For purposes of determining the reduction of benefits described  
13 in subsection (2) of this section:

14 (a) If the claimant has been separated from his or her employment  
15 under circumstances under which he or she was or could have been  
16 determined disqualified under section 42 of this act, his or her total  
17 benefit amount shall be reduced by:

18 (i) Two times his or her weekly benefit amount if he or she left  
19 work voluntarily for the sole purpose of accepting previously secured,  
20 permanent, full-time, insured work, which he or she does accept, which  
21 offers a reasonable expectation of betterment of wages or working  
22 conditions, or both, and for which he or she earns wages payable to him  
23 or her; or

24 (ii) Thirteen times his or her weekly benefit amount if he or she  
25 left work voluntarily without good cause for any reason other than that  
26 described in subdivision (3)(a)(i) of this section; and

27 (b) If the claimant has been separated from his or her employment  
28 under circumstances under which he or she was or could have been

29 determined disqualified under section 40 of this act, his or her total  
30 benefit amount shall be reduced by fourteen times his or her weekly  
31 benefit amount.

1 (4) For purposes of sections 48-623 to 48-626, wages shall be  
2 counted as wages for insured work for benefit purposes with respect to  
3 any benefit year only if such benefit year begins subsequent to the date  
4 on which the employer by whom such wages were paid has satisfied the  
5 conditions of section 48-603 or subsection (3) of section 48-661 with  
6 respect to becoming an employer.

7 (5) In order to determine the benefits due under this section and  
8 sections 48-624 and 48-625, each employer shall make reports, in  
9 conformity with reasonable rules and regulations adopted and promulgated  
10 by the commissioner, of the wages of any claimant. If any ~~such~~ employer  
11 ~~fails shall fail~~ to make such a report within the time prescribed, the  
12 commissioner may accept the statement of such claimant as to his or her  
13 wages, and any benefit payments based on such statement of earnings, in  
14 the absence of fraud or collusion, ~~shall will~~ be final as to the amount.

15 Sec. 42. An individual shall be disqualified for benefits:

16 (1) For any benefit year beginning before October 1, 2018:

17 (a) For the week in which he or she has left work voluntarily  
18 without good cause, if so found by the commissioner, and for the thirteen  
19 weeks immediately thereafter. For purposes of this subdivision, a  
20 temporary employee of a temporary help firm has left work voluntarily  
21 without good cause if the temporary employee does not contact the  
22 temporary help firm for reassignment upon completion of an assignment and  
23 the temporary employee has been advised by the temporary help firm of his  
24 or her obligation to contact the temporary help firm upon completion of  
25 assignments and has been advised by the temporary help firm that the  
26 temporary employee may be denied benefits for failure to do so; or

27 (b) For the week in which he or she has left work voluntarily for  
28 the sole purpose of accepting previously secured, permanent, full-time,  
29 insured work, if so found by the commissioner, and for the two weeks  
30 immediately thereafter. For this subdivision to apply, such work shall:

31 (i) Be accepted by the individual;

1 (ii) Offer a reasonable expectation of betterment of wages or  
2 working conditions, or both; and

3 (iii) Enable the individual to earn wages payable to him or her; or

4 (2) For any benefit year beginning on or after October 1, 2018, for  
5 the week in which he or she has left work voluntarily without good cause,  
6 if so found by the commissioner, and for all subsequent weeks until the  
7 individual has earned wages in insured work in an amount of at least four  
8 times his or her weekly benefit amount and has separated from the most  
9 recent subsequent employment under nondisqualifying conditions. For  
10 purposes of this subdivision, a temporary employee of a temporary help  
11 firm has left work voluntarily without good cause if the temporary  
12 employee does not contact the temporary help firm for reassignment upon  
13 completion of an assignment and the temporary employee has been advised  
14 by the temporary help firm of his or her obligation to contact the  
15 temporary help firm upon completion of assignments and has been advised

- 16 by the temporary help firm that the temporary employee may be denied  
 17 benefits for failure to do so.  
 18 2. On page 4, line 12, strike the comma and show as stricken.  
 19 3. On page 54, reinstate lines 10 through 13.  
 20 4. On page 59, line 23, after the period insert "If such adjusted  
 21 amount is not a whole dollar amount, the adjusted amount shall be rounded  
 22 down to the nearest whole dollar amount.".  
 23 5. On page 88, line 11, strike "delivering" and insert "electronic  
 24 notice" and reinstate the stricken "by"; and in line 12 after the period  
 25 insert "A claimant shall elect to receive either electronic notice or  
 26 mailed notice when he or she files a new claim or establishes a new  
 27 benefit year. A claimant may change his or her election at any time.".  
 28 6. On page 124, line 31, strike "sections 64 to 67" and insert  
 29 "section 65".  
 30 7. On page 133, line 19, strike the new matter.  
 31 8. On page 137, line 7, strike "65" and insert "66".

Senator Groene filed the following amendment to LB640:  
 AM992

(Amendments to Standing Committee amendments, AM752)

- 1 1. On page 8, line 27 after the first comma insert "except as  
 2 otherwise provided in subsection (3) of this section."; and after line 31  
 3 insert the following new subsection:  
 4 "(3) For any tax year for which a percentage reduction is calculated  
 5 pursuant to subsection (5) of section 4 of this act, the transfer from  
 6 the Property Tax Credit Cash Fund to the Tax Equity and Educational  
 7 Opportunities Fund pursuant to subsection (2) of this section shall be  
 8 reduced by such percentage.".  
 9 2. On page 9, line 16, strike "this subsection" and insert  
 10 "subsection (5) of this section"; strike beginning with "If" in line 20  
 11 through line 26 and insert the following new subsection:  
 12 "(5) For any tax year for which the sum of the statewide increase in  
 13 state aid certified pursuant to subsection (1) of section 3 of this act  
 14 plus the statewide total school district property tax relief aid  
 15 calculated pursuant to subsection (4) of this section exceeds the funds  
 16 available for distribution from the Property Tax Credit Cash Fund, a  
 17 reduction percentage shall be calculated by the Department of Revenue  
 18 equal to the ratio of the amount by which such sum exceed the funds  
 19 available for distribution divided by such sum. The transfer from the  
 20 Property Tax Credit Cash Fund to the Tax Equity and Educational  
 21 Opportunities Fund pursuant to subsection (2) of section 3 of this act  
 22 and the school district property tax relief aid for each local system  
 23 that qualifies pursuant to subsection (2) of this section shall be  
 24 reduced by the reduction percentage."; and in line 27 strike "(5)" and  
 25 insert "(6)".  
 26 3. On page 10, line 1, strike "(4)" and insert "(5)"; in line 4,  
 1 strike "(6)" and insert "(7)"; in line 11, strike "(7)" and insert "(8)";  
 2 and in line 18, strike "(8)" and insert "(9)".

Senator Erdman filed the following amendment to LB427:  
AM968

(Amendments to AM739)

1 1. On page 1, line 8, strike "have an obligation" and insert "should  
2 strive"; in line 10 strike "must" and insert "should"; in line 14 strike  
3 "allow" and insert "accommodate"; in line 19 strike "shall" and insert  
4 "may"; and in line 23 strike the last "the" and insert "any".  
5 2. On page 2, line 1, strike "shall" and insert "may"; in line 17  
6 after "facilities" insert an underscored period; and strike lines 18  
7 through 21.

### VISITOR(S)

Visitors to the Chamber were members of LIBA from Lincoln; 44 fourth-grade students and teachers from Louisville; and 46 fourth-grade students and teachers from Fort Calhoun.

### RECESS

At 11:55 a.m., on a motion by Senator Schumacher, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Watermeier presiding.

### ROLL CALL

The roll was called and all members were present except Senators Bolz, Groene, Kolowski, Krist, Larson, Vargas, and Wayne who were excused until they arrive.

### ANNOUNCEMENT(S)

The Legislature has received the report of the Special Committee on the qualification challenge for the 11th legislative district.

### GENERAL FILE

**LEGISLATIVE BILL 72.** Senator Crawford renewed her amendment, AM804, found on page 847.

Senator Crawford withdrew her amendment.

Senator McDonnell offered his amendment, AM789, found on page 846.

Senator McDonnell withdrew his amendment.

### PRESIDENT FOLEY PRESIDING



Senator Schumacher offered the following motion:

MO80

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Schumacher moved for a call of the house. The motion prevailed with 27 ayes, 1 nay, and 21 not voting.

Senator Schumacher requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Albrecht	Clements	Halloran	Larson	Schumacher
Baker	Craighead	Harr	Lindstrom	Smith
Bostelman	Ebke	Hilgers	Linehan	Stinner
Brasch	Erdman	Hilkemann	Lowe	Watermeier
Brewer	Friesen	Hughes	McCollister	Williams
Briese	Geist	Kolterman	Murante	
Chambers	Groene	Kuehn	Riepe	

Voting in the negative, 11:

Blood	Hansen	McDonnell	Vargas
Bolz	Howard	Morfeld	Walz
Crawford	Kolowski	Quick	

Present and not voting, 4:

Krist	Pansing Brooks	Scheer	Wishart
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Excused and not voting, 1:

Wayne

The Schumacher motion to invoke cloture prevailed with 33 ayes, 11 nays, 4 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 14 nays, 5 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 68.** Senator Chambers renewed his motion, MO70, found on page 924, to recommit to committee.

Pending.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 75.** Placed on Final Reading.**LEGISLATIVE BILL 376.** Placed on Final Reading.**LEGISLATIVE BILL 417.** Placed on Final Reading.

ST13

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E&R amendments, ER45:
  - a. On page 21, line 26, "43-4406," has been inserted after the fourth comma; and
  - b. On page 22, line 3, "to change provisions relating to a child welfare services report;" has been inserted after the semicolon.

(Signed) Anna Wishart, Chairperson

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 44.** Placed on Select File.**LEGISLATIVE BILL 44A.** Placed on Select File.**LEGISLATIVE BILL 225A.** Placed on Select File.

(Signed) Anna Wishart, Chairperson

**COMMITTEE REPORT(S)**

Judiciary

**LEGISLATIVE BILL 145.** Placed on General File with amendment. AM828 is available in the Bill Room.

**LEGISLATIVE BILL 259.** Placed on General File with amendment. AM933 is available in the Bill Room.

**LEGISLATIVE BILL 395.** Placed on General File with amendment. AM846

- 1 1. Strike original section 3.
- 2 2. On page 2, line 14, strike "as the primary factor".
- 3 3. On page 5, line 25, strike "as the primary factor".
- 4 4. Renumber the remaining section and correct the repealer
- 5 accordingly.

**LEGISLATIVE BILL 411.** Placed on General File with amendment. AM764

- 1 1. On page 5, line 5, after the period insert "The department,
- 2 association, or individual shall afford a parent or an adult sibling the
- 3 option of refusing to receive such notifications.".

4 2. On page 7, line 27, after the period insert "The court shall make  
5 a determination as to whether reasonable efforts have been made by the  
6 department to facilitate sibling placement and sibling visitation or  
7 other ongoing interaction and whether such placement and visitation or  
8 other ongoing interaction is contrary to safety or well-being of any of  
9 the siblings.".

**LEGISLATIVE BILL 526.** Placed on General File with amendment.  
AM930

1 1. Strike original sections 1, 2, 3, and 5 and insert the following  
2 new section:  
3 Sec. 2. Original section 25-1577, Reissue Revised Statutes of  
4 Nebraska, is repealed.  
5 2. Renumber the remaining section accordingly.

**LEGISLATIVE RESOLUTION 26.** Reported to the Legislature for further consideration.

**LEGISLATIVE RESOLUTION 27.** Reported to the Legislature for further consideration.

(Signed) Laura Ebke, Chairperson

#### **GENERAL FILE**

**LEGISLATIVE BILL 68.** The Chambers motion, MO70, found on page 924 and considered in this day's Journal, to recommit to committee, was renewed.

Senator Chambers offered the following motion:  
MO82  
Bracket until June 2, 2017.

Senator Chambers withdrew his motion to bracket.

Senator Morfeld offered the following motion:  
MO83  
Bracket until June 2, 2017.

Senator Hilgers offered the following motion:  
MO84  
Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Hilgers moved for a call of the house. The motion prevailed with 28 ayes, 1 nay, and 20 not voting.

Senator Hilgers requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Albrecht	Craighead	Hilgers	Linehan	Smith
Baker	Ebke	Hilkemann	Lowe	Stinner
Bostelman	Erdman	Hughes	McCollister	Watermeier
Brasch	Friesen	Kolterman	McDonnell	Wayne
Brewer	Geist	Kuehn	Murante	Williams
Briese	Groene	Larson	Riepe	
Clements	Halloran	Lindstrom	Scheer	

Voting in the negative, 8:

Blood	Crawford	Kolowski	Pansing Brooks
Chambers	Hansen	Morfeld	Quick

Present and not voting, 5:

Bolz	Krist	Schumacher	Vargas	Wishart
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Excused and not voting, 3:

Harr	Howard	Walz
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The Hilgers motion to invoke cloture prevailed with 33 ayes, 8 nays, 5 present and not voting, and 3 excused and not voting.

The Morfeld motion to bracket failed with 11 ayes, 31 nays, 4 present and not voting, and 3 excused and not voting.

The Chambers motion to recommit to committee failed with 12 ayes, 30 nays, 4 present and not voting, and 3 excused and not voting.

The committee amendment, AM630, was adopted with 33 ayes, 11 nays, 2 present and not voting, and 3 excused and not voting.

Senator Murante requested a record vote on the advancement of the bill.

Voting in the affirmative, 32:

Albrecht	Craighead	Hilgers	Linehan	Smith
Baker	Ebke	Hilkemann	Lowe	Stinner
Bostelman	Erdman	Hughes	McCollister	Watermeier
Brasch	Friesen	Kolterman	McDonnell	Williams
Brewer	Geist	Kuehn	Murante	
Briese	Groene	Larson	Riepe	
Clements	Halloran	Lindstrom	Scheer	

Voting in the negative, 12:

Blood	Hansen	Morfeld	Vargas
Chambers	Kolowski	Pansing Brooks	Wayne
Crawford	Krist	Quick	Wishart

Present and not voting, 2:

Bolz            Schumacher

Excused and not voting, 3:

Harr            Howard        Walz

Advanced to Enrollment and Review Initial with 32 ayes, 12 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 158.** The Krist motion, MO79, found in this day's Journal, to reconsider the vote taken on AM996, was renewed.

Senator Crawford moved the previous question. The question is, "Shall the debate now close?"

Senator Hansen moved for a call of the house. The motion prevailed with 23 ayes, 5 nays, and 21 not voting.

The motion to cease debate prevailed with 25 ayes, 10 nays, 8 present and not voting, and 6 excused and not voting.

The Krist motion to reconsider prevailed with 27 ayes, 10 nays, 6 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

The Pansing Brooks amendment, AM996, found in this day's Journal, to the committee amendment, was reconsidered.

Senator Hughes offered the following motion:

MO87

Bracket until June 2, 2017.

Pending.

#### **AMENDMENT(S) - Refile in Journal**

Senator McDonnell refiled his amendment, AM789, found on page 846 and considered in this day's Journal, to LB72.

**AMENDMENT(S) - Print in Journal**

Senator Stinner filed the following amendment to LB233:  
AM998 is available in the Bill Room.

Senator Chambers filed the following amendments to LB68:

FA60

Amend AM630

Strike section 1.

FA61

Amend AM630

Strike section 2.

FA62

Amend AM630

Strike section 3.

FA63

Amend AM630

Strike section 5.

**MOTION(S) - Print in Journal**

Senator Chambers filed the following motions to LB68:

MO85

Recommit to the Government, Military and Veterans Affairs Committee.

MO86

Bracket until June 2, 2017.

**AMENDMENT(S) - Print in Journal**

Senator Kolterman filed the following amendment to LB415:

AM1000

(Amendments to Standing Committee amendments, AM923)

1 1. On page 45, line 18; page 46, line 22; page 136, line 15; and

2 page 137, line 20, strike "rendered" and insert "beginning".

3 2. On page 46, line 4, strike "his or her", show as stricken, and

4 insert "the employee's", and in lines 24 and 25 strike "his or her" and

5 insert "the employee's".

6 3. On page 47, line 25, after the first "the" insert "service and";

7 in line 26 strike "and" and insert

8 "(iv) Accelerating the payment from the employer due to unforeseen

9 circumstances that occur before payment is made pursuant to this section,

10 including, but not limited to, the employee's termination or retirement

11 or the employer's reorganization, consolidation, merger, or closing;

12 and"; and in line 27 strike "(iv)" and insert "(v)".

13 4. On page 59, line 12, strike "his or her", show as stricken, and

- 14 insert "the judge's"; and in lines 30 and 31 strike "he or she" and  
 15 insert "the judge".
- 16 5. On page 60, lines 1, 2, 3, 5, and 10, strike "court" and insert  
 17 "state court administrator"; in line 13 after the first "the" insert  
 18 "service and"; in line 14 strike "and" and insert  
 19 "(d) Accelerating the payment from the state court administrator due  
 20 to unforeseen circumstances that occur before payment is made pursuant to  
 21 this section, including, but not limited to, the judge's termination or  
 22 retirement or the court's reorganization, consolidation, or merger; and";  
 23 and in line 15 strike "(d)" and insert "(e)".
- 24 6. On page 68, line 7, strike "unreduced"; and in line 21 strike  
 25 "retirement" and insert "termination".
- 26 7. On page 73, strike lines 18 through 23 and insert  
 1 "(39) Service in any capacity means, but is not limited to, working  
 2 as (a) a volunteer, (b) a full-time or part-time employee, regular  
 3 employee, school employee, substitute employee, temporary employee, or  
 4 interim employee, (c) an independent contractor, a subcontractor, a  
 5 consultant, or a contractor with a third party, (d) as defined in  
 6 subdivision (30) of section 79-978 of the Class V School Employees  
 7 Retirement System, or (e) in any other category of work;".
- 8 8. On page 75, line 5, strike "retirement date" and insert  
 9 "termination".
- 10 9. On page 77, lines 18 and 26, strike "retirement" and insert  
 11 "termination"; and in line 28 strike "an" and insert "any".
- 12 10. On page 81, line 1, strike "his or her", show as stricken, and  
 13 insert "the member's".
- 14 11. On page 82, line 1, after the first "the" insert "service and";  
 15 in line 2 strike "and" and insert  
 16 "(iv) Accelerating the payment from the employer due to unforeseen  
 17 circumstances that occur before payment is made pursuant to this section,  
 18 including, but not limited to, the member's termination or retirement or  
 19 the employer's reorganization, consolidation, merger, or closing; and";  
 20 and in line 3 strike "(iv)" and insert "(v)".
- 21 12. On page 83, line 3; and page 87, line 14, before "who" insert  
 22 "or former member".
- 23 13. On page 95, line 26, strike "unreduced".
- 24 14. On page 96, line 9, strike "retirement" and insert  
 25 "termination".
- 26 15. On page 98, strike lines 30 through 31.
- 27 16. On page 99, strike lines 1 through 3 and insert  
 28 "(30) Service in any capacity means, but is not limited to, working  
 29 as (a) a volunteer, (b) a full-time or part-time employee, substitute  
 30 employee, temporary employee, or interim employee, (c) an independent  
 31 contractor, a subcontractor, a consultant, or a contractor with a third  
 1 party, (d) as defined in subdivision (39) of section 79-902 of the School  
 2 Employees Retirement System, or (e) in any other category of work;"; and  
 3 in line 31 strike "retirement date" and insert "termination".
- 4 17. On page 104, lines 15 and 21, strike "retirement" and insert  
 5 "termination".

- 6 18. On page 116, line 11, strike "his or her", show as stricken, and  
7 insert "the officer's".
- 8 19. On page 117, line 12, after the first "the" insert "service  
9 and"; in line 13 strike "and" and insert  
10 "(iv) Accelerating the payment from the employer due to unforeseen  
11 circumstances that occur before payment is made pursuant to this section,  
12 including, but not limited to, the officer's termination or retirement or  
13 the employer's reorganization, consolidation, merger, or closing; and";  
14 and in line 14 strike "(iv)" and insert "(v)".
- 15 20. On page 137, line 2, strike "his or her", show as stricken, and  
16 insert "the employee's"; and in lines 22 and 23 strike "his or her" and  
17 insert "the employee's".
- 18 21. On page 138, line 23, after the first "the" insert "service  
19 and"; in line 24 strike "and" and insert  
20 "(iv) Accelerating the payment from the employer due to unforeseen  
21 circumstances that occur before payment is made pursuant to this section,  
22 including, but not limited to, the employee's termination or retirement  
23 or the employer's reorganization, consolidation, merger, or closing;  
24 and"; and in line 25 strike "(iv)" and insert "(v)".

### VISITORS

Visitors to the Chamber were 200 social work students and faculty from Chadron State College, Creighton University, The Grace Abbott School of Social Work at UNO, Nebraska Wesleyan University of Lincoln and Omaha, Union College, and the University of Nebraska at Kearney; and 20 fourth-grade students and sponsors from Adams Central Wallace, Hastings.

### ADJOURNMENT

At 5:07 p.m., on a motion by Senator Geist, the Legislature adjourned until 9:00 a.m., Thursday, April 13, 2017.

Patrick J. O'Donnell  
Clerk of the Legislature